

105TH CONGRESS
1ST SESSION

S. 1365

To amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 4, 1997

Ms. MIKULSKI introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. LIMITATION ON REDUCTIONS IN BENEFITS**
 2 **FOR SPOUSES AND SURVIVING SPOUSES RE-**
 3 **CEIVING GOVERNMENT PENSIONS.**

4 (a) WIFE’S INSURANCE BENEFITS.—Section
 5 202(b)(4)(A) of the Social Security Act (42 U.S.C.
 6 402(b)(4)(A)) is amended—

7 (1) by inserting “the amount (if any) by which
 8 the sum of such benefit (before reduction under this
 9 paragraph) and” after “two-thirds of”; and

10 (2) by inserting “exceeds the amount described
 11 in subsection (z) for such month,” before “if”.

12 (b) HUSBAND’S INSURANCE BENEFITS.—Section
 13 202(c)(2)(A) of such Act (42 U.S.C. 402(c)(2)(A)) is
 14 amended—

15 (1) by inserting “the amount (if any) by which
 16 the sum of such benefit (before reduction under this
 17 paragraph) and” after “two-thirds of”; and

18 (2) by inserting “exceeds the amount described
 19 in subsection (z) for such month,” before “if”.

20 (c) WIDOW’S INSURANCE BENEFITS.—Section
 21 202(e)(7)(A) of such Act (42 U.S.C. 402(e)(7)(A)) is
 22 amended—

23 (1) by inserting “the amount (if any) by which
 24 the sum of such benefit (before reduction under this
 25 paragraph) and” after “two-thirds of”; and

1 (2) by inserting “exceeds the amount described
2 in subsection (z) for such month,” before “if”.

3 (d) WIDOWER’S INSURANCE BENEFITS.—Section
4 202(f)(2)(A) of such Act (42 U.S.C. 402(f)(2)(A)) is
5 amended—

6 (1) by inserting “the amount (if any) by which
7 the sum of such benefit (before reduction under this
8 paragraph) and” after “two-thirds of”; and

9 (2) by inserting “exceeds the amount described
10 in subsection (z) for such month,” before “if”.

11 (e) MOTHER’S AND FATHER’S INSURANCE BENE-
12 FITS.—Section 202(g)(4)(A) of such Act (42 U.S.C.
13 402(g)(4)(A)) is amended—

14 (1) by inserting “the amount (if any) by which
15 the sum of such benefit (before reduction under this
16 paragraph) and” after “two-thirds of”; and

17 (2) by inserting “exceeds the amount described
18 in subsection (z) for such month,” before “if”.

19 (f) AMOUNT DESCRIBED.—Section 202 of such Act
20 (42 U.S.C. 402) is amended by adding at the end the fol-
21 lowing:

22 “(z) The amount described in this subsection is, for
23 months in each 12-month period beginning in December
24 of 1997, and each succeeding calendar year, the greater
25 of—

1 “(1) \$1200; or

2 “(2) the amount applicable for months in the
3 preceding 12-month period, increased by the cost-of-
4 living adjustment for such period determined for an
5 annuity under section 8340 of title 5, United States
6 Code (without regard to any other provision of
7 law).”.

8 (g) LIMITATIONS ON REDUCTIONS IN BENEFITS.—
9 Section 202 of such Act (42 U.S.C. 402), as amended by
10 subsection (f), is amended by adding at the end the follow-
11 ing:

12 “(aa) For any month after December 1997, in no
13 event shall an individual receive a reduction in a benefit
14 under subsection (b)(4)(A), (c)(2)(A), (e)(7)(A), (f)(2)(A),
15 or (g)(4)(A) for the month that is more than the reduction
16 in such benefit that would have applied for such month
17 under such subsections as in effect on December 1,
18 1997.”.

19 **SEC. 2. EFFECTIVE DATE.**

20 The amendments made by section 1 shall apply with
21 respect to monthly insurance benefits payable under title
22 II of the Social Security Act for months after December
23 1997.

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